

Remarks

Claims 1 and 45-94 are pending. Entry of the amendment is respectfully requested. No new matter has been added. Reconsideration is respectfully requested.

Claim Status

Claims 1, 45, 47-54, 58-61, 66-68, 77-78, 80-86, 89, and 92-94 were rejected as anticipated pursuant to 35 U.S.C. § 102(e) over Sheperd (US 6,402,025).

Claims 46, 55-57, 62-65, 69-71, 79, 87, and 90 were rejected as obvious pursuant to 35 U.S.C. § 103(a) over Sheperd in view of Tamada (US 4,822,990).

Claims 72-76 were rejected as obvious pursuant to 35 U.S.C. § 103(a) over Sheperd in view of Haycock (US 6,065,072).

Claims 88 and 91 were indicated allowable if written in an independent form. Indication of allowable subject matter is appreciated. Claims 88 and 91 were placed in an independent form as requested. Thus, Applicant respectfully submits that claims 88 and 91 are now allowable.

The Rejections

Claim 1

The Applicants respectfully traverse the rejections. Sheperd is directed to a one-time use, low-cost, cardboard container that is not replenished with media after usage (col. 1, lines 62-67; col. 3, line 60). Sheperd distinguishes his disposable container (100) from a currency cassette (10). Sheperd does not teach a cassette that includes a biasing mechanism that can move media. Nor does Sheperd teach a cassette including a RFID tag, especially where the RFID tag includes data representative of a cassette identification number. Sheperd does not anticipate claim 1.

Claim 66

Note Applicants' remarks in support of the patentability of claim 1. As previously discussed, Sheperd does not teach a cassette including a RFID tag. Even the Action (on page 8) admits that Sheperd does not teach a RFID tag. Sheperd does not anticipate claim 66.

Claim 77

Note Applicants' remarks in support of the patentability of claim 1. As previously discussed, Sheperd does not teach a cassette including a RFID tag, especially where the RFID tag includes data representative of a cassette identification number.

Claim 80

Note Applicants' remarks in support of the patentability of claim 1. Sheperd does not teach a cassette including a target. Nor does Sheperd teach an automated banking machine distance determining device that can determine the distance between the cassette target and a machine component without the cassette target contacting the machine. Sheperd does not anticipate claim 80.

Claim 92

Note Applicants' remarks in support of the patentability of claims 1 and 80. As previously discussed, Sheperd does not teach measuring a distance between a cassette target and an automated banking machine component without the cassette target contacting the machine.

The Dependent Claims

The applied art also does not teach or suggest the recited dependent claims. Each of the dependent claims depends directly or indirectly from an independent claim. The Applicants have shown the independent claims to be allowable. Thus, it is asserted that the dependent claims are allowable on the same basis. Furthermore, each dependent claim additionally recites specific features and relationships that further patentably distinguish the claimed invention over the applied art. The references, taken alone or in combination, do not teach or suggest the recited features and relationships. Nor would it have been obvious to have modified Shepard with the teaching of either Tamada or Haycock as alleged to have produced the claimed invention. Tamada is non analogous art.

The Applicants respectfully disagree with the Action's statement (on page 8) that "an RFID tag is a kind of electronic tag." The Action misinterprets what constitutes an "electronic" tag. For example, Siemens (US 6,659,340) conventionally teaches an electronic tag (in circuit board 72). The electronic tag is not a RFID tag. The reading of Siemens' electronic tag requires a *physical* connection (via an electrical connector 74) (col. 9, lines 45-51). Applicants respectfully submit that electronic communication with a physical connection (e.g., an electronic tag) differs from radio frequency communication without physical contact. The Action has not established a *prima facie* case of obviousness.

Fee For Additional Claims


Please charge the fee associated with the submission of two additional independent claims (\$400) and any other fee due to Deposit Account 09-0428.

Conclusion

Each of Applicants' pending claims specifically recites features, relationships, and/or steps that are neither disclosed nor suggested in the applied prior art. Furthermore, the applied prior art is devoid of any such teaching, suggestion, or motivation for combining features of the applied art so as to produce Applicants' invention. Allowance of all of Applicants' pending claims is respectfully requested.

The undersigned will be happy to discuss any aspect of the Application by telephone at the Office's convenience.

Respectfully submitted,



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